

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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DEBRA BECKER,

Plaintiff,

Docket No.:
21-cv-02855 (EK) (ST)

-against-

NASSAU BOCES SCHOOL DISTRICT, BOARD OF COOPERATIVE EDUCATIONAL SERVICES OF NASSAU COUNTY (NASSAU BOCES); DR. ROBERT DILLON, Individually and as District Superintendent of the Board of Cooperative Educational Services of Nassau County; DR. TRACEY NEKULAK, Individually and as Executive Director of Human Resources of the Board of Cooperative Educational Services of Nassau County; KIM SCHAROFF, Individually and as Supervisor 1-Speech Language and Hearing Services of the Board of Cooperative Educational Services of Nassau County; PATRICIA SCHWETZ, Individually and as Assistant Director of the Board of Cooperative Educational Services of Nassau County; DR. RANDALL SOLOMON; ISLAND PSYCHIATRY, PC; and JOHN DOE AND JANE DOE # 1-100, said names being fictitious, it being the intent of Plaintiff to designate any and all individuals, officers, members, agents, servants, and/or employees of the aforementioned agencies owing a duty of care to Plaintiff, individually and jointly and severally,

ATTORNEY AFFIRMATION

Defendants.

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ADAM I. KLEINBERG, an attorney duly admitted to practice before this Court, declares:

1. I am a member of the law firm SOKOLOFF STERN LLP, attorneys for defendants Board of Cooperative Educational Services of Nassau County (“Nassau BOCES”) s/h/a Nassau BOCES School District, Dr. Robert Dillon, Dr. Tracey Nekulak, Kim Scaroff, and Patricia Schwetz (collectively “Nassau BOCES defendants”) in the above-captioned matter. I am fully familiar with the facts and circumstances surrounding this matter.

2. I submit this Declaration, the attached exhibits, and the accompanying Memorandum of Law, in support of the Nassau BOCES defendants' motion to dismiss plaintiff's amended complaint under Fed. R. Civ. P. 12(b)(1) and 12(b)(6).

3. Attached as Exhibit A is a copy of plaintiff's Amended Complaint in this federal action, dated August 13, 2021.

4. Attached as Exhibit B is a copy of plaintiff's Notice of Claim, dated May 21, 2018.

Dated: Carle Place, New York

September 7, 2021

SOKOLOFF STERN LLP



By: ADAM I. KLEINBERG